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## Code Rewrite Commission Report

**To:** City Council

**From:** Code Rewrite Commission

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**Date:** August 16, 2010

**File Number:** L090380

**Title:** Overlake Regulations

**Code Rewrite Commission Recommendation:** Approval as recommended by the Code Rewrite Commission

**Recommended Action:** Adopt the following chapters of the Redmond Zoning Code:

- Overlake Village (Exhibit A)
- Overlake Business and Advanced Technology (Exhibit B)
- Definitions (Exhibit C)

**Summary:** The Overlake regulations package includes two chapters in need of revisions as noted in the Background section below. A summary of recommended changes follows.

- 1) Create separate chapters for OBAT and Overlake Village
- 2) Reorganize the OBAT chapter to have a structure similar to the other commercial zones reviewed as part of the Commercial, Industrial and Design District Zones package
- 3) Reorganize the OV chapter to have a structure similar to the Downtown chapter
- 4) Eliminate footnotes
- 5) Remove regulations that duplicate citywide standards or that are better located in the Administration and Procedures or Definitions

chapters

- 6) Adopt a standard set of land use names, as has been done for other zones

**Background:**

The CRC recommends rewriting the Overlake chapters to remedy the following existing conditions:

- 1) Regulations for distinct zones intermingled in a single chapter
- 2) Use of text when a table or map would serve better
- 3) Proliferation of footnotes that often contain very important information
- 4) Duplication of regulations found elsewhere in the code
- 5) Inclusion of procedural rules that would be better located in the Administration and Procedures chapter
- 6) Inconsistent land use names
- 7) Unclear maximum development potential in each zone
- 8) Formal Performance Areas exist and are delineated on the zoning map but have no associated substantive regulations while substantive regulations do exist for informally designated “Emphasis Areas” and are easily missed

**Reasons the Proposal should be Adopted:**

The Code Rewrite Commission recommends adoption of the proposed amendments because:

- 1) The proposal is consistent with the mission statement adopted for the 2009-2011 Code Rewrite, as detailed in section IV.B.1 of Exhibit G;
- 2) The proposal is consistent with all of the applicable Code Organization principles, as detailed in section IV.B.2 of Exhibit G;
- 3) The proposal is consistent with all of the applicable Code Regulations principles, as detailed in section IV.B.3 of Exhibit G; and,
- 4) The proposal is consistent with all of the applicable Permit Review Procedure principles, as detailed in section IV.B.4 of Exhibit G.

## **Recommended Findings of Fact**

### **1. *Public Hearing and Notice***

#### **a. Public Hearing Date**

The City of Redmond Code Rewrite Commission held a public hearing for this proposal beginning on May 24, 2010 and ending for oral testimony on June 14, 2010.

## **b. Notice**

The public hearing notice was published in the Seattle Times. Public notices were posted in City Hall and the Redmond Library. Notice was also given by including the hearing in Code Rewrite Commission agendas and extended agendas mailed to various members of the public. Additionally, hearing notification was posted on the City's website and cable TV.

## **2. Public Comments**

The Code Rewrite Commission received oral testimony from Todd Woosley and Don Marcy. The CRC received written testimony from Sears, which is included as Exhibit E. Key issues raised in public testimony are described below.

### **❖ Land Use Classification System**

Mr. Woosley said he supports the change to a uniform land use naming system throughout the code.

### **❖ Future Infrastructure in Overlake Village**

Sears wished to confirm that the location of future infrastructure shown on the Overlake Village Subarea Map is conceptual in nature, and that requiring the provision of such infrastructure would be consistent with constitutional and statutory requirements.

## **Recommended Conclusions**

### **1. Key Issues Discussed by the Code Rewrite Commission**

Exhibit D describes the Code Rewrite Commission's discussion issues for this package and how they were resolved. The summary below highlights the major issues discussed by the Code Rewrite Commission.

### **❖ Supplemental Buffers in OBAT**

The CRC discussed how supplemental buffers in the OBAT zone should be measured. The CRC agreed that they should be measured from the property line as it exists today. If the property line changes in the future (through street widening, e.g.), the buffer line should remain the same.

### **❖ Residential Usable Open Space: Language, Slopes, and Flexibility**

First, the CRC worked to ensure that the language used to describe and regulate residential usable open space in Downtown and Overlake is similar. To that end, it settled on using "common" and "private" open space as the two main categories.

Second, the CRC recognized that there may be instances in Overlake Village where, because of significant slopes, the rooftop of a building (or part of a building) may be at street level on its opposite side. In such cases, the CRC recommends that if the rooftop is made into open space accessible to the public from the street, then 100% of that space should count toward the usable open space requirement. The objective is to provide open space at ground level.

Last, the CRC recommends allowing for additional flexibility in providing open space. Instead of a rigid minimum dimension, it recommends requiring a 20-foot average minimum dimension, with no dimension less than 12 feet.

## ***2. Future Projects Recommended by the Code Rewrite Commission***

The Code Rewrite Commission recommends that staff undertake the following updates following the adoption of the new Redmond Zoning Code.

### **❖ Standardize Language Regarding Native Vegetation**

The CRC recognized that there are many provisions calling for native or drought tolerant vegetation. It recommends that staff ensure that the provisions are consistent and use similar language. Staff agreed that this could be done during the zoning code rewrite.

## ***3. Recommended Conclusions of City Staff.***

The recommended conclusions in the Staff Report (Exhibit G) should be adopted as conclusions.

## ***4. Code Rewrite Commission Recommendation.***

The Code Rewrite Commission voted to recommend the amendment at its July 26, 2010 meeting. The motion carried unanimously.

## List of Exhibits

Exhibit A:	CRC Recommendation: Overlake Village
Exhibit B:	CRC Recommendation: Overlake Business and Advanced Technology
Exhibit C:	CRC Recommendation: Definitions
Exhibit D:	CRC Final Issues Matrix
Exhibit E:	Sears Letter and Response
Exhibit F:	Code Crosswalk
Exhibit G:	Staff Report with Exhibits

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Robert G. Odle, Director of Planning and Community Development

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Date

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Steve Nolen, Code Rewrite Commission Chair

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Date

Approved for Council Agenda

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John Marchione, Mayor

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Date

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